

REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated August 24, 2004, claims 1-22 are pending in the application. Applicants respectfully request the Examiner for reconsideration of the rejections.

Claims 1-22 stand rejected under 35 U.S.C. §102(a) as being anticipated by *Brown* (6,338,012).

Each of the claims are similar in that the recitation of an active suspension is set forth. An active suspension is a suspension that may be controlled. As set forth in claim 1, the active suspension has an independently adjustable unloading side and an independently adjustable loading side. Other claims do not have the specific limitations of claim 1. Claim 1 recites a rollover sensor and a controller coupled to the rollover sensor for controlling the active suspension to generate a restoring torque in response to the rollover signal. Applicants respectfully submit that although a suspension sensor is described in the *Brown* reference, no teaching or suggestion is provided for an active suspension that may be used to generate a restoring torque in response to the rollover signal. Claim 12 recites generating a restoring torque in response to the rollover signal may controlling the active suspension. Claim 18 recites generating a restoring torque in response to the steps of unloading and loading to counter the imminent rollover. The unloading and loading steps of claim 18 must also be a controlled suspension because the step of unloading is unloading the first side suspension corresponding to the unloading wherein that the loading step comprises loading the second side suspension corresponding to the loading side suspension. Therefore, because the *Brown* reference does not teach or suggest an active suspension, no controlling of the active suspension can be performed to prevent rollover. Therefore, applicants respectfully request the Examiner to reconsider the rejection of claims 1-22.

In light of the above remarks, Applicants believe that all rejections are now overcome. Should the Examiner have any questions or comments which would place the application in better condition for allowance, he is respectfully requested to call the undersigned attorney.

Please charge any fees required in the filing of this amendment to deposit account 06-1510.

Respectfully submitted,


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